

UNITED STATES OF AMERICA

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

CITY OF OXFORD

REGULAR MEETING

December 4, 2007

6:00 p.m.

CALL TO ORDER:

The meeting of the Mayor and Board of Aldermen of the City of Oxford, Mississippi, was called to order by Mayor Howorth at 6:00 p.m. on Tuesday, December 4, 2007, in the courtroom of City Hall when and where the following were present:

Richard Howorth – Mayor
 Pat Patterson – Alderman Ward I
 E.O. Oliver – Alderman Ward II
 Janice Antonow – Alderman Ward III
 Ulysses Howell – Alderman Ward IV
 Preston Taylor – Alderman Ward V
 Jon Fisher – Alderman Ward VI
 Dr. Bill Baker- Alderman At-Large

Mayo Mallette PLLC – Of Counsel
 Lisa Carwyle – City Clerk
 Tim Akers- Director of Planning
 David Bennett – Director of Public Works
 Randy Russell- Director of Solid Waste
 Al Hope – Personnel Director
 Mike Martin– Chief Oxford Police Dept
 Jerry Johnson- Chief of Oxford Fire Dept
 Randy Barber– Building & Code Enforcement
 Hugh Stump – Dir of Oxford Conference Center
 Kleb Johnson – Director of Parks & Recreation

AGENDA:

It was moved by Alderman Howell, seconded by Alderman Fisher to adopt the agenda for the meeting. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

MAYOR'S REPORT:

Board Report 11 04 07

Brad Freeman recently made an interesting presentation on the development of Oxford Lafayette Fields. We appreciate the Jackson, Tennessee, sports facility manager who has been sharing his experience with a similar development which has proved successful.

The City has tried to work with the University to renew the fire protection contract, and I feel sure the board will vote tonight to reject the current proposal, as it represents almost no change from the existing contract, which this board strongly views as a proportionally inadequate contribution. However, I am more than willing to continue to negotiate with the University to see if we can find middle ground.

Last week we took a moment to thank 10, 15 and 20-year city employees for their loyal service. The board commends these hard-working long term public servants for what they provide our citizens, and for the way they become role models for younger city staff.

We were recently notified by the Mississippi Department of Archives and History that the North Lamar Historic Preservation District has been approved to be listed on the National Register of Historic Places. We congratulate the Historic Preservation Commission and the North Lamar residents for this achievement.

Last night's Christmas Parade was typical with its cold weather, but unusually large. I can not remember a longer Christmas Parade in Oxford's history, with several marching bands and countless glittering floats, with entries from Batesville and Holly Springs. I saw the happy faces of hundreds and hundreds of children, so we have to be sure to say thanks to the Lions Club and Ron Kitchens for the great job – and we know it takes a lot of work – on the best Oxford Christmas Parade ever.

MINUTES: It was moved by Alderman Antonow, seconded by Alderman Patterson to approve the minutes of the regular board meeting on November 20, 2007. All the aldermen voting aye, Mayor Howorth declared the motion carried.

ACCOUNTS: It was moved by Alderman Baker, seconded by Alderman Patterson to approve all City accounts including the Electric Department. All the aldermen voting aye, Mayor Howorth declared the motion carried.

OXFORD LAFAYETTE
FIELDS:

It was moved by Alderman Baker, seconded by Alderman Oliver to authorize the change order and adopt the following resolution for Oxford Lafayette Fields. All the aldermen voting aye, Mayor Howorth declared the motion carried.

**RESOLUTION OF OXFORD, MISSISSIPPI
REGARDING CHANGE ORDER TO OXFORD LAFAYETTE FIELDS**

The Board took up for consideration a request for approval of change order items on the excavation contract for the Oxford Lafayette Fields, and the following Resolution, having first been reduced to writing, was introduced:

**RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI,
AUTHORIZING CHANGE ORDER ITEMS**

WHEREAS, THE CITY OF OXFORD, MISSISSIPPI, entered into a construction contract with GrayCo Construction for the dirt work for the Oxford Lafayette Fields on Hwy 314; and

WHEREAS, THE CITY OF OXFORD, MISSISSIPPI, has received the attached request from Daniels-Williams Engineering for changes and/or modifications to that construction contract totaling \$24,848.60; and

WHEREAS, THE CITY OF OXFORD, MISSISSIPPI, has determined that such changes and/or modifications to the original contract are necessary or would better serve the purpose of the City; and

WHEREAS, THE CITY OF OXFORD, MISSISSIPPI, has received assurance from Daniels-Williams Engineering that such changes and/or modifications shall be made in a commercially reasonable manner and are not made to circumvent the public purchasing statutes; and

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Board of Aldermen of the City of Oxford, Mississippi, as follows:

The City hereby accepts the changes and/or modifications proposed by Daniels-Williams Engineering in the attached letter and authorizes such changes and/or modifications to be incorporated into the construction contract for the excavation on the Oxford Lafayette Fields.

After full discussion of this matter, Alderman __Baker_____ moved that the foregoing Resolution be adopted and said motion was seconded by Alderman ____Oliver_____, and upon the question being put to a vote, the vote was as follows:

- Alderman Patterson ____AYE_____
- Alderman Oliver ____AYE_____
- Alderman Antonow ____AYE_____
- Alderman Howell ____AYE_____
- Alderman Taylor ____AYE_____
- Alderman Fisher ____AYE_____
- Alderman Baker ____AYE_____

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Aldermen of the City of Oxford, Mississippi; on this, 4th day of December, 2007.

RICHARD HOWORTH, MAYOR

LISA CARWYLE, CITY CLERK

FIRE CONTRACT: It was moved by Alderman Patterson, seconded by Alderman Howell to cordially decline the University of Mississippi's offer regarding the fire contract. All the aldermen voting aye, Mayor Howorth declared the motion carried.

COMPENSATION COMMITTEE: It was moved by Alderman Antonow, seconded by Alderman Baker to appoint Richard DeVoe, Hattie Simmons, Roger Bruene, Vicki Cook, and Harry Sneed to the compensation committee. All the aldermen voting aye, Mayor Howorth declared the motion carried.

Alderman Oliver exited the meeting at this time.

PRESERVE AMERICA FUNDING: It was moved by Alderman Patterson, seconded by Alderman Taylor to adopt the following resolution to accept the Preserve America funding, if approved. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

HUMANE SOCIETY
QUATERLY REPORT:

Angie Crafton, City liaison to the Humane Society, came before the Mayor and Board of Aldermen to give the quarterly report. The board requested the Humane Society to be more consistent with their reports.

LANDSCAPE TREE
ORDINANCE:

This was a continued first reading of the proposed changes to the landscape ordinance which would establish tree preservation standards for certain development. Mr. Tim Akers has taken comments which were discussed at a work session and made amendments to the proposed ordinance. The public hearing will be at the next board meeting.

REQUEST FOR
PROPOSAL:

It was moved by Alderman Fisher, seconded by Alderman Antonow to authorize the advertisement for a request for proposal for a consultant to review the Pathways project and update the city of Oxford's 2003 Bicycle and Pedestrian Plan. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

LOU TRANSIT
CONTRACT WITH
MDOT:

It was moved by Alderman Howell, seconded by Alderman Fisher to adopt the following resolution authorizing Mayor Howorth to sign the contact with MDOT for the LOU Transit program. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

RESOLUTION

A RESOLUTION OF THE BOARD OF ALDERMEN
OF THE CITY OF OXFORD, MISSISSIPPI GRANTING MAYOR THE
AUTHORITY TO EXECUTE A CONTRACT WITH THE MISSISSIPPI
DEPARTMENT OF TRANSPORTATION ACCEPTING AN AWARD OF
\$451,540 IN FEDERAL TRANSIT ADMINISTRATION SECTION 5311
FUNDS FOR THE PURCHASE OF CAPITAL EQUIPMENT AND
MANAGEMENT ACTIVITIES FOR A REGIONAL PUBLIC TRANSIT
SYSTEM

WHEREAS, Lafayette County, the City of Oxford, and the University of Mississippi campus are all faced with road and parking capacity challenges;

WHEREAS, the City of Oxford applied to the Mississippi Department of Transportation for FTA Section 5311 funds to develop and operate a regional public transit system;

WHEREAS, the City of Oxford has been notified by the Mississippi Department of Transportation that the City of Oxford has been awarded \$451,540 in Federal Funds under Section 5311 for the purchase of capital equipment and project management activities;

THEREFORE BE IT RESOLVED, the Mayor and Board of Aldermen of Oxford, Mississippi authorizes the Mayor and the City Clerk to execute a contract with the Mississippi Department of Transportation accepting an award of \$451,540 in Federal Transit Administration Section 5311 funds for the purchase of capital equipment and management activities for a regional public transit system.

The above and foregoing Resolution having been first reduced to writing and read by the City Clerk of the said Board, and on the motion of Alderman Howell, seconded by Alderman Fisher, it was adopted, and the vote of the Aldermen for the passage thereof, was as follows:

Alderman Patterson	voted	<u>AYE</u>
Alderman Oliver	voted	<u>ABSENT</u>
Alderman Antonow	voted	<u>AYE</u>
Alderman Howell	voted	<u>AYE</u>
Alderman Taylor	voted	<u>AYE</u>
Alderman Fisher	voted	<u>AYE</u>
Alderman Baker	voted	<u>AYE</u>

Whereupon the Mayor declared the motion carried and the Resolution adopted, this the 4th day of December, 2007.

RICHARD HOWORTH, MAYOR

LISA CARWYLE, CITY CLERK

INTERLOCAL
AGREEMENT FOR
LOU TRANSIT:

It was moved by Alderman Antonow, seconded by Alderman Fisher to adopt the following resolution authorizing the Mayor to sign the interlocal agreement for LOU Transit. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

RESOLUTION

A RESOLUTION OF THE BOARD OF ALDERMEN
OF THE CITY OF OXFORD, MISSISSIPPI GRANTING MAYOR THE AUTHORITY
TO EXECUTE AN INTER-LOCAL AGREEMENT WITH LAYAFETTE COUNTY
AND THE UNIVERSITY OF MISSISSIPPI TO DEVELOP AND GOVERN A
REGIONAL TRANSIT SYSTEM

WHEREAS, Lafayette County, the City of Oxford, and the University of Mississippi campus are all faced with road and parking capacity challenges;

WHEREAS, Lafayette County, the City of Oxford, and the University of Mississippi contributed to the preparation of a Federal Transit Administration Section 5311 grant application for capital and operating funds for a regional transit system;

WHEREAS, the City of Oxford has been notified by the Mississippi Department of Transportation that the City of Oxford has been awarded \$451,540 in Federal Funds under Section 5311 for the purchase of capital equipment and project management activities;

WHEREAS, the Section 5311 grant application anticipated that the City of Oxford, Lafayette County and the University of Mississippi would enter into an Interlocal Agreement establishing a nine member board to govern the transit system;

THEREFORE BE IT RESOLVED, the Mayor and Board of Aldermen of Oxford, Mississippi authorizes the Mayor and the City Clerk to execute the Interlocal Agreement with Lafayette County and the University of Mississippi to develop and govern a regional transit system.

The above and foregoing Resolution having been first reduced to writing and read by the City Clerk of the said Board, and on the motion of Alderman Antonow, seconded by Alderman Fisher, it was adopted, and the vote of the Aldermen for the passage thereof, was as follows:

Alderman Patterson	voted	<u>AYE</u>
Alderman Oliver	voted	<u>ABSENT</u>
Alderman Antonow	voted	<u>AYE</u>
Alderman Howell	voted	<u>AYE</u>
Alderman Taylor	voted	<u>AYE</u>
Alderman Fisher	voted	<u>AYE</u>
Alderman Baker	voted	<u>AYE</u>

Whereupon the Mayor declared the motion carried and the Resolution adopted, this the 4th day of December, 2007.

RICHARD HOWORTH, MAYOR

LISA CARWYLE, CITY CLERK

MCDONALD TRANSIT: It was moved by Alderman Baker, seconded by Alderman Fisher to authorize the employment of McDonald Transit as a consultant for the LOU Transit Program in the amount of \$15,000.00. All the aldermen present, voting aye, Mayor Howorth declared the motion carried.

TOBBY TUBBY PARKWAY: It was moved by Alderman Fisher, seconded by Alderman Patterson to adopt the following resolution authorizing Mayor Howorth to execute the contract with Neel Shaffer for the environmental engineering for Toby Tubby Parkway. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

**RESOLUTION OF OXFORD, MISSISSIPPI
REGARDING ENGINEERING SERVICES CONTRACT FOR CONCEPTUAL
DESIGN AND ENVIRONMENTAL SERVICES FOR TOBBY TUBY PARKWAY**

The Board took up for consideration authorizing Mayor Howorth to sign the engineering service contract with Neel-Schaffer, Inc., and the following Resolution, having first been reduced to writing, was introduced:

**RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI,
AUTHORIZING MAYOR HOWORTH TO SIGN
ENGINEERING SERVICE CONTRACT**

WHEREAS, THE CITY OF OXFORD, MISSISSIPPI, is desirous of entering into an Engineering Services Contract with Neel-Schaffer, Inc. for the conceptual design and environmental services for the Toby Tuby Parkway; and

WHEREAS, THE CITY OF OXFORD, MISSISSIPPI, authorizes Mayor Richard Howorth, Chief Administrative Official, authorized by the Board of Aldermen to execute the contract.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Board of Aldermen of the City of Oxford, Mississippi, as follows:

The City of Oxford Board of Aldermen hereby authorizes Mayor Richard Howorth to execute the Engineering Service Contract with Neel-Schaffer for the conceptual design and environmental services for Toby Tuby Parkway.

After full discussion of this matter, Alderman ___Fisher_____ moved that the foregoing Resolution be adopted and said motion was seconded by Alderman ___Patterson_____, and upon the question being put to a vote, the vote was as follows:

- Alderman Patterson ___AYE_____
- Alderman Oliver ___ABSENT_____
- Alderman Antonow ___AYE_____
- Alderman Howell ___AYE_____
- Alderman Taylor ___AYE_____
- Alderman Fisher ___AYE_____

Alderman Baker AYE

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Aldermen of the City of Oxford, Mississippi; on this, 4th day of December, 2007.

RICHARD HOWORTH, MAYOR

LISA CARWYLE, CITY CLERK

**BREKENRIDGE
SUBDIVISION:**

It was moved by Alderman Baker, seconded by Alderman Howell to authorize the maintenance of streets in Breckenridge Subdivision on Anchorage Road. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

ORDINANCE 2007-25:

It was moved by Alderman Baker, seconded by Alderman Patterson to adopt Ordinance 2007-25 "AN ORDINANCE AMENDING SECTION 7 ½-4, 7 ½-5, AND 7 ½ - 6 OF THE CODE OF ORDINANCES OF THE CITY OF OXFORD, MISSISSIPPI". Said ordinance is recorded in Book 7 of the City of Oxford Code of Ordinances. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

DONATION:

It was moved by Alderman Patterson, seconded by Alderman Antonow to accept the donation from Fred's for the Police Department and the Fire Department. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

BOILER:

Billy Lamb came before the Mayor and Board of Aldermen to report on the repairs that are needed for the boiler downstairs. He is planning to use money that was budgeted for controls to the heating and cooling unit for the repairs to the boiler and hold off on the controls until next fiscal year.

PATROL OFFICERS:

It was moved by Alderman Baker, seconded by Alderman Patterson to authorize the employment of Jacob Able and Christopher Wray as patrol officers with a salary of \$29,087.90. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

SOLID WASTE LABORER: It was moved by Alderman Fisher, seconded by Alderman Patterson to authorize the employment of Irwin Quarles as a solid waste laborer with a salary of \$19,288.65. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

SOLID WASTE PROMOTION: It was moved by Alderman Baker, seconded by Alderman Patterson to authorize the promotion of Kevin Herod from tractor driver to truck driver with a salary of \$23,184.95. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

EXECUTIVE SESSION: It was moved by Alderman Antonow, seconded by Alderman Fisher to consider executive session for a personnel issue. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

It was moved by Alderman Baker, seconded by Alderman Antonow to go into executive session. All the aldermen voting aye, Mayor Howorth declared the motion carried.

REGULAR SESSION: It was moved by Alderman Howell, seconded by Alderman Antonow to go into regular session. All the aldermen voting aye, Mayor Howorth declared the motion carried.

TERMINATION: It was moved by Alderman Antonow, seconded by Alderman Patterson to follow the recommendation of the Human Resource Director and department head regarding the termination of an employee in the Solid Waste Department. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

SUSPENSION: It was moved by Alderman Patterson, seconded by Alderman Baker to follow the recommendation of the Human Resource Director regarding the suspension of an employee in the Building & Grounds Department for three days. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

ADJOURN: It was moved by Alderman Patterson, seconded by Alderman Howell to adjourn the meeting sine-die. All the aldermen present voting aye, Mayor Howorth declared the motion carried.

Richard Howorth, Mayor

Lisa Carwyle, City Clerk

